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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/615,727
Filing Date	07/09/2003
First Named Inventor	Reiley
Art Unit	3738
Examiner Name	Isabella
Attorney Docket Number	29914.701.401

Sheet

1

of

4

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-2004/0059429	03/25/2004	Amin et al.	
		US-2004/0230201	11/18/2004	Reiley et al.	
		US-2004/0230304	11/18/2004	Reiley et al.	
		US-2005/0010291	01/13/2005	Stinson et al.	
		US-3,867,728	02/25/1975	Stubstad et al.	
		US-3,875,595	04/08/1975	Froning	
		US-4,349,921	09/21/1982	Kuntz	
		US-4,759,769	07/26/1988	Hedman et al.	
		US-4,772,287	09/20/1988	Ray et al.	
		US-4,863,477	09/05/1989	Monson	
		US-4,904,260	02/27/1990	Ray et al.	
		US-4,911,718	03/27/1990	Lee et al.	
		US-5,047,055	09/10/1991	Bao et al.	
		US-5,071,437	12/10/1991	Steffee	
		US-5,147,404	09/15/1992	Downey	
		US-5,171,280	12/15/1992	Baumgartner	
		US-5,192,326	03/09/1993	Bao et al.	
		US-5,306,308	04/26/1994	Gross et al.	
		US-5,306,309	04/26/1994	Wagner et al.	
		US-5,370,697	12/06/1994	Baumgartner	
		US-5,401,269	03/28/1995	Buttner-Janz et al.	
		US-5,437,672	08/01/1995	Alleyne	
		US-5,458,642	10/17/1995	Beer et al.	
		US-5,458,643	10/17/1995	Oka et al.	
		US-5,514,180	05/07/1996	Heggeness et al.	
		US-5,534,028	07/09/1996	Bao et al.	
		US-5,534,030	07/09/1996	Navarro et al.	

Examiner Signature	Date Considered
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				Application Number	10/615,727	
				Filing Date	07/09/2003	
				First Named Inventor	Reiley	
				Art Unit	3738	
				Examiner Name	Isabella	
Sheet	2	of	4	Attorney Docket Number		29914.701.401

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
P7		US-5,545,229	08/13/1996	Parsons et al.	
		US-5,556,431	09/17/1996	Buttner-Janz	
		US-5,571,189	11/05/1996	Kuslich	
		US-5,645,597	07/08/1997	Krapiva	
		US-5,653,762	08/05/1997	Pisharodi	
		US-5,674,295	10/07/1997	Ray et al.	
		US-5,674,296	10/07/1997	Bryan et al.	
		US-5,676,701	10/14/1997	Yuan et al.	
		US-5,683,464	11/04/1997	Wagner et al.	
		US-5,702,450	12/30/1997	Bisserie	
		US-5,716,415	02/10/1998	Steffee	
		US-5,824,093	10/20/1998	Ray et al.	
		US-5,824,094	10/20/1998	Serhan et al.	
		US-5,865,846	02/02/1999	Bryan et al.	
		US-5,868,745	02/09/1999	Alleyne	
		US-5,893,889	04/13/1999	Harrington	
		US-6,001,130	12/14/1999	Bryan et al.	
		US-6,014,588	01/11/2000	Fitz	
		US-6,019,792	02/01/2000	Cauthen	
		US-6,039,763	03/21/2000	Shelokov	
P7		US-6,063,121	05/16/2000	Xavier et al.	
		US-6,066,325	05/23/2000	Wallace et al.	
		US-6,080,157	06/27/2000	Cathro et al.	
		US-6,113,637	09/05/2000	Gill et al.	
		US-6,132,465	10/17/2000	Ray et al.	

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				First Named Inventor	Reiley	
				Art Unit	3738	
				Examiner Name	Isabella	
Sheet	3	of	4	Attorney Docket Number		29914.701.401

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> - Number <sup>3</sup> - Kind Code <sup>4</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
		DE 10135771 A1	02/20/2003	Aesculap AG & Co.		X
		JP 10179622 A2	07/07/1998	Mizuho Ika Kogyo KK		X
		WO 98/48717 A1	11/05/1998	Taylor, Jean		X
		WO 99/23963 A1	05/20/1999	Dimso		X
		WO 00/38582 A1	07/06/2000	Nuvasive, Inc.		
		WO 01/30248 A1	05/03/2001	Reiley, Mark A.		
		WO 03/101350 A1	12/11/2003	Archus Orthopedics Inc.		
		WO 2004/071358 A1	08/26/2004	Archus Orthopedics Inc.		

Examiner Signature		Date Considered	8/5/03
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				Application Number	10/615,727
				Filing Date	07/09/2003
				First Named Inventor	Reiley
				Art Unit	3738
				Examiner Name	Isabella
Sheet	4	of	4	Attorney Docket Number	29914.701.401

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
JS		GOH, JC et al., "Influence of PLIF cage size on lumbar spine stability", <i>Spine</i> , (January 2000), 25(1) Medline abstract (one page).	
		HEAD, WC, "Wagner surface replacement arthroplasty of the hip. Analysis of fourteen failures in forty-one hips", <i>J Bone Joint Surg. Am.</i> , (March 1981) 63(3), Medline abstract (one page).	
		KHOO, LT et al., "A biomechanical analysis of the effects of lumbar fusion on the adjacent vertebral motion segment", Proceedings of the 2000 Annual Meeting of the North American Spine Society, New Orleans.	
		KOTANI, Y. et al., "The effects of spinal fixation and destabilization on the biomechanical and histologic properties of spinal ligaments. An in vivo study.", <i>Spine</i> , (March 15, 1998) 23(6), Medline abstract (2 pages).	
		LEMAIRE, JP et al., "Intervertebral disc prosthesis: results and prospects for the year 2000", <i>Clinical Orthopaedics and Related Research</i> , No. 337, pp. 64-76.	
		NAGATA, H. et al., "The effects of immobilization of long segments of the spine on the adjacent and distal facet force and lumbosacral motion", <i>Spine</i> , (December 1993), 18(16):2471-2479, (9 pages).	
		NIBU, K. et al., "Multidirectional stabilizing potential of BAK interbody spinal fusion system for anterior surgery [see comments]", <i>J Spinal Disord.</i> , (August 1997), 10(4), Medline abstract (one page).	
JS		TSANTRIZOS, A. et al., "Segmental stability and compressive strength of posterior lumbar interbody fusion implants", <i>Spine</i> , (August 1, 2000) 25(15), Medline abstract (one page).	

Examiner signature		Date Considered	2/5/10
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO SB 65A (8-02)  
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				First Named Inventor	Reiley
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Sheet	1	of	1	Attorney Docket Number	29914.701.401

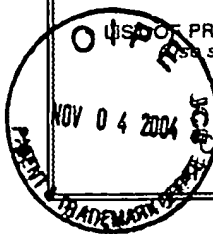
**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	1"
		Country Code <sup>2</sup> - Number <sup>3</sup> - Kind Code <sup>4</sup> (if known)				
M		IE S970323	06/03/1998	Eskina Developments Limited		
		WO 95/05783 A1	03/02/1995	Martin, Jean-Raymond		X
		WO 98/56301 A1	12/17/1998	Reiley, Mark A. et al.		
		WO 99/05995 A1	02/11/1999	Gordon, Dennis P.		
		WO 99/60957 A1	12/02/1999	Nuvasive, Inc.		
		WO 99/65412 A1	12/23/1999	Pioneer Laboratories, Inc.		
		WO 00/62684 A1	10/26/2000	Nuvasive, Inc.		
		WO 01/97721 A2	12/27/2001	Kyphon Inc.		
		WO 02/089712 A1	11/14/2002	Gerber, David et al.		
M		WO 03/020143 A1	03/13/2003	Synthes		

Examiner Signature		Date Considered	8/5/03
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OTHER PRIOR ART CITED BY APPLICANT  
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Customer No. 26308

ATTY DOCKET NO.  
9448.17205-CIP DIV

APPLICANT  
Reiley

FILING DATE  
9 July 2003

SERIAL NO.  
10/615,727

GROUP  
3738


### U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (if Appropriate)

### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes No
	WO 96/00049	01/1996	PCT (English abstract)			

### OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER 	DATE CONSIDERED 8/15/05
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PTO/SB/08A (08-03)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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00		US-2001/0012938	08/09/2001	Zucherman et al.	
		US-2001/0020170	09/06/2001	Zucherman et al.	
		US-2002/0029039	03/07/2002	Zucherman et al.	
		US-2002/0151895	10/17/2002	Soboleski et al.	
		US-2004/0116927	06/17/2004	Graf	
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		US-5,527,312	06/18/1996	Ray	
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		US-6,293,949	09/25/2001	Justis et al.	
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01		US-6,565,605	05/20/2003	Goble et al.	
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		US-6,610,091	08/26/2003	Reiley	
		US-6,669,729	12/30/2003	Chin	
		US-6,761,720	07/13/2004	Senegas	
		US-6,783,527	08/31/2004	Drewry et al.	

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UNKNOWN

APPLICANT

Reiley, Mark A.

Customer No. 26308

FILING DATE

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GROUP

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[Signature]	6,200,322	03/13/2001	Branch et al.			
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	5,741,261	04/21/1998	Moskovitz et al.			
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	5,015,255	05/14/1991	Kuslich			
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	RE 36,758	06/27/2000	Fitz			
	5,300,073	04/05/1994	Ray et al.			

### FOREIGN PATENT DOCUMENTS

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